THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.21590 OF 2007

Between:

Guduru Dhasaradha Rami Reddy

……Petitioner

Vs.

The Special Collector (F.A.C.), Telugu Ganga Project,
Nellore and two others.

……..Respondents.

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.21590 OF 2007

O R D E R:

1) This writ petition is filed by the petitioner aggrieved by the action of the respondents in not considering the objections of the petitioner with reference to the digging of the 5th Branch Canal of Telugu Ganga Project.

2) According to the petitioner, the petitioner is the owner of an extent of land measuring Ac 1.29 cents in S.No.123-3B, Ac 0.38 ½ cents in S.No.120-2, Ac 1.78 cents in S.No.119-15A and Ac 0.15 cents of Kurugonda Village, Ozili Mandal, Nellore District.

3) It is stated that the respondent authorities proposed to dig the canal, which is a branch canal of Telugu Ganga Project through the lands of the petitioner. As a larger part of the land is being covered as per the proposed plan of the respondents, the petitioner raised certain objections giving alternative proposal as to the alignment of the canal. Since the said objections with reference to the alternative proposal

were not considered, the petitioner has come up with the present writ petition.

4) The learned counsel for the petitioner sought for a direction to the respondents to consider his objections with reference to the alternative proposal as to the alignment of the canal.

5) Heard the learned counsel for the petitioner and the learned counsel for the respondents.

6) The objections raised as is evident from the plan even placed before this Court, is with reference to the change of alignment of the canal from the one as proposed by the respondents-Irrigation Department. No doubt, if the alignment as proposed by the petitioner is accepted, lesser extent of the land of the petitioner may be required. But, however, it is not for this Court to examine the feasibility or otherwise of the said alignment and this Court at this stage cannot even direct the Irrigation Department to consider the change of alignment, which may have their own implications.

7) Under the above circumstances, this Court declines to consider the claim of the petitioner as reasonable to direct the respondents to consider the proposed change of alignment.

8) The writ petition is accordingly dismissed as devoid of merit. No order as to costs.

S.ANANDA REDDY J.,

Dt.11.10.2007
tjs